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CENTRAL INTELLIGENCE AGENCY
Office of Current Intelligence
8 October 1963

State Department review completed

CURRENT INTELLIGENCE MEMORANDUM

SUBJECT: ANZUS and Malaysia

1. It appears that if Australian or New Zealand forces stationed in Malaysia become involved in fighting with Indonesian or other foreign forces, the two governments would have grounds for requesting US assistance under the ANZUS treaty. We would not pretend a definitive legal interpretation of the commitments on the US under the ANZUS treaty; however, Article IV states that in the event of an attack in the Pacific area on any of the parties, each party "would act to meet the common danger in accordance with its constitutional procedures." Article V defines "attack" to include an attack on the party's "armed forces, public vessels, or aircraft in the Pacific."

2. The official US position as stated by Undersecretary Harriman last June is that if Australian and New Zealand forces stationed in Malaya were attacked, US obligation under the ANZUS treaty would come into force. An overt attack, he said, whether Communist or non-Communist, would be considered in the context of our general commitment to the United Nations.

3. Further US commitments to Malaysia, Australia, and New Zealand derive from the SEATO treaty. Under this treaty, a Communist armed attack on British, Australian, or New Zealand military installations or forces in Malaya (now interpreted by the State Department to mean Malaysia) would be considered an armed attack in the treaty area against one of the parties, and each party is obliged to act "in accordance with its constitutional processes." Any attack or threat other than a Communist armed attack would, at the request of any party, require

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consultation among SEATO members "in order to agree on the measures which should be taken in the common defense."

4. Australia and New Zealand each maintains an infantry battalion in Malaysia as part of the 28th Commonwealth Brigade Group, which also includes three other infantry battalions (one Gurkha, two UK), an artillery battery, and an engineer squadron. Both countries have indicated that while they consider the UK primarily responsible for the defense of Malaysia, they would provide additional military forces to the limits of their capability if the situation should rapidly deteriorate through subversion or hostilities on the new nation's borders. Australian armed forces total some 50,000, plus nearly 30,000 in a citizen reserve similar to the US National Guard; New Zealand forces total 12,250, plus a reserve of some 6,000.

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